

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**TRAVELERS CASUALTY AND SURETY COMPANY as  
Administrator for RELIANCE INSURANCE COMPANY,**

**Civil Action No.:  
07-CV-6915 (DLC)**

**ECF CASE**

**Plaintiff,**

**vs.**

**THE DORMITORY AUTHORITY OF THE STATE OF NEW  
YORK, TDX CONSTRUCTION CORP. and KOHN,  
PETERSON, FOX & ASSOCIATES, P.C.,**

**Defendants.**

**DORMITORY AUTHORITY OF THE STATE OF NEW  
YORK, and TDX CONSTRUCTION CORP.,**

**Third-Party Plaintiff,**

**vs.**

**TRATAROS CONSTRUCTION, INC.**

**Third-Party Defendants**

**TRATAROS CONSTRUCTION, INC. and TRAVELERS  
CASUALTY AND SURETY COMPANY,**

**Fourth-Party Plaintiffs,**

**vs.**

**CAROLINA CASUALTY INSURANCE COMPANY,  
BARTEC INDUSTRIES INC., DAYTON SUPERIOR  
SPECIALTY CHEMICAL CORP., a/k/a DAYTON  
SUPERIOR CORPORATION; SPECIALTY  
CONSTRUCTION BRANDS INC. t/a TEC, KEMPER  
CASUALTY INSURANCE COMPANY d/b/a KEMPER  
INSURANCE COMPANY, GREAT AMERICAN  
INSURANCE COMPANY, NATIONAL UNION FIRE  
INSURANCE COMPANY OF PITTSBURGH, PA.,  
UNITED STATES FIRE INSURANCE COMPANY,**

**ALLIED WORLD ASSURANCE COMPANY (U.S.)  
INC. f/k/a COMMERCIAL UNDERWRITERS INSURANCE  
COMPANY, ZURICH AMERICAN INSURANCE COMPANY  
d/b/a ZURICH INSURANCE COMPANY, OHIO CASUALTY  
INSURANCE COMPANY d/b/a OHIO CASUALTY GROUP,  
HARLEYSVILLE MUTUAL INSURANCE COMPANY (a/k/a  
HARLEYSVILLE INSURANCE COMPANY), JOHN DOES 1-20,  
and XYZ CORPS. 1-12,**

**Fourth Party Defendants.**

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**KOHN PEDERSEN FOX ASSOCIATES, P.C.**

**Third-Party Plaintiff,**

**-against-**

**WEIDLINGER ASSOCIATES CONSULTING ENGINEERS, P.C.,  
CASTRO-BLANCO PISCIONERI AND ASSOCIATES,  
ARCHITECTS, P.C., ARQUITECTONIA NEW YORK, P.C.,  
COSENTINI ASSOCIATES, INC., CERMAK, PETERKA  
PETERSEN, INC., JORDAN PANEL SYSTEMS CORP.,  
TRATAROS CONSTRUCTION, INC. AND LBL SKYSYSTEMS  
(U.S.A.), INC.**

**Third-Party Defendants.**

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**AFFIDAVIT OF JEFFREY LEUNG IN SUPPORT  
OF NATIONAL UNION'S MOTION FOR SUMMARY JUDGMENT**

I, Jeffery Leung, hereby declare under penalties of perjury:

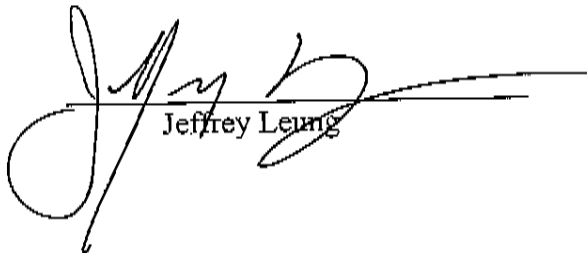
1. I am employed as a Complex Director for AIG Domestic Claims, Inc. ("AIGDC"), which is a jointly-owned subsidiary of American Home Assurance Company and The Insurance Company of the State of Pennsylvania, and serves as a claims handling administrator that investigates and handles claims for and on behalf of insurance companies that are subsidiaries of American International Group, Inc. ("AIG"), including Fourth-Party Defendant National Union Fire Insurance Company of Pittsburgh, Pa ("National Union").

2. I have reviewed the records related to the handling of the claim in the above-captioned action maintained by AIG Domestic Claims, Inc. In my review of those records, I located a copy of the fourth-party summons and complaint and a photocopy of the envelope in which the fourth-party summons and complaint were received. A true and correct copy of the envelope is attached hereto as Exhibit 1.

3. The envelope is post marked March 9, 2004 and appears to be stamped received on March 14, 2005. This was National Union's first notice of any claim alleged by the Dormitory Authority of the State of New York and/or TDX Construction Corp. that would potentially implicate coverage under the policies of insurance issued to Trataros by National Union.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

*New York, New York*  
*August 7, 2008*



Jeffrey Leung

STATE OF NEW YORK  
COUNTY OF NEW YORK

Before me, a notary public, personally appeared, Jeffrey Leung, who, being duly sworn, stated that he has executed the foregoing Affidavit.

Witness my hand and notarial seal this 7<sup>th</sup> day of August, 2008.

STACEY J. HAMMER  
Notary Public, State of New York  
No. 31-02HA6027548  
Qualified in New York County  
Commission Expires: 3-21-11

